

Claim Rejections - 35 USC § 102

Claims 6-8 and 10-12 stand rejected under 35 USC 102 (e) as being anticipated by Reising (US 4,988,345). As to both independent claims 6 and 12, the examiner contends that Reising discloses a sanitary napkin having a liquid permeable top layer, a liquid impermeable back layer (40), and a liquid absorbent core (48) disposed between the top layer and the back layer. According the examiner, the top layer is said to include an upper layer (38) of thermoplastic synthetic resinous material and a lower layer (50) of thermoplastic synthetic fibers.

In contrast to Reising, applicants invention according to claims 6 and 12, requires that the liquid absorbent core be disposed between the liquid permeable top layer and the liquid impermeable back layer. The liquid permeable top layer includes an upper layer and a lower layer. As can be clearly seen from Fig. 3 of Reising, (a copy of which is attached), the absorbent core (48) is disposed between the upper layer (38) of the liquid permeable top layer and the back layer (40) in the portions of the product designated "A" in Fig. 3. In the portions of the product designated "B" the absorbent core (48) is disposed between the upper layer (38) and the lower layer (50) of the liquid permeable top layer. Nowhere does Reising teach or suggest that the absorbent core (48) be disposed between a liquid permeable top layer which is comprised of an upper layer and lower layer and a liquid impermeable back layer.

Furthermore, with respect to independent claim 6, there is the requirement that the lower layer of thermoplastic synthetic fibers be more hydrophilic than the upper layer but less hydrophilic than the core. The examiner has directed the applicants to col. 14, line 1 to col. 15, line 7 for such a teaching. While applicants agree that this passage does provide some teaching about hydrophilicity, nowhere can applicants find any teaching in this particular passage about the relationship of the hydrophilicity of the respective claimed layers.

As Reising fails to teach or disclose each and every element of claims 6 and 12, these claims cannot be anticipated by Reising. As to the remaining claims, 7-8 and 10-11, they all depend directly from independent claim 6 and are therefore not anticipated by Reising for the same reasons as given above with respect to claim 6. The Examiner is respectfully requested to withdraw the rejection under 35 USC 102.

SUMMARY

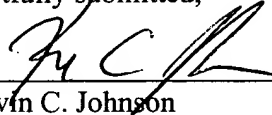
All of the requirements of the Office Action have been discussed.

No new matter has been added.

In light of the discussions contained herein, Applicants respectfully request reconsideration of all rejections and allowance of all claims. Early and favorable action is respectfully requested.

Respectfully submitted,

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